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GEORGE G. DUNN, OF INDIANA,

ON

THE OREGON BILL. 2510
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DELIVERED IN THE HOUSE OF REPRESENTATIVES OF THE U. S. JULY 27 1848.

Mr. CHAIRMAN : The object of the bill under consideration is to provide a government for the Territory of Oregon. It contains a prohibition against slavery in that Territory. A proposition has been submitted to strike out that clause. It is known that the people there, in the most solemn form in which they can speak, through such legislation as they have, have avowed their opposition to that institution. And yet it is proposed to disregard their known wishes, to say nothing of the decided feeling of a large portion of the people of the States of this Union on the subject. This course is of recent date. A similar bill to this, with this identical inhibition, has again and again, at former sessions of Congress, met the approbation, and received the support of gentlemen from all sections—South as well as North. No serious objection has heretofore been made to it. Both of the gentlemen from Texas voted for it at the last Congress. So too did gentlemen from Virginia, North and South Carolina, and Tennessee. Gentlemen who now, as they did then, claim to be, *par excellence*, Southern Jeffersonian Democrats. Let us see if, on this subject, they are so. In 1784 a committee, of which Mr. Jefferson was a member, reported an ordinance to the Congress of the old confederation, to organize and establish the territory northwest of the river Ohio. That ordinance contained this restriction against slavery. A vote was taken in that Congress to strike out the restriction. It was stricken out—but Mr. Jefferson recorded his vote in favor of the restriction.

Again, in 1787, an ordinance was reported to Congress by a committee composed of Mr. Dane, of Massachusetts, Mr. Smith, of New York, Messrs. Richard Henry Lee, and Carrington, of Virginia, and Mr. Kean, of South Carolina. Every one of these eminent men cordially approved of and supported that ordinance. It contained a prohibition against slavery—such as is now proposed to be stricken from the Oregon bill. That ordinance, with the restriction, passed, receiving every vote (except one, Mr. Yates, of New York) of every State represented, to wit : Massachusetts, (then the only non-slaveholding State,) New York, New Jersey, Delaware, Virginia, North Carolina, South Carolina, and Georgia. It is well known that this met Mr. Jefferson's hearty approbation. Here then is a warrant for the opposition in the free States, which you of the South are pleased to denounce as fanatical and infamous, to the *extension* of the institution of slavery ; a warrant of value. It is from Southern men, of the truest patriots and proudest statesmen of this or any other age or nation. Who follows Mr. Jefferson ? We have this morning, laid upon the table, thereby expressing our decided objection to its terms, a bill from the Senate, the consideration of which would have defeated, *certainly*, the Oregon bill ; and the *passage* of which would have kindled a flame in this land that the waters of the Atlantic could not have extinguished. A fire that would have burned up every hope of the Republic, and utterly consumed every vestige of our happy institutions. A bill, as it were, in mockery, termed "a peace offering—a compromise"—referring this alarming *political* issue to the judicial tribunals for determination. And thus, let the question be decided as it might, aggravating the evil and bitter feelings of the defeated party, and arraying a whole section of the Union against the Supreme Court of the United States. An array which would destroy it ; and that wall of defence once broken down, all else would necessarily perish.

This is emphatically, by force of existing circumstances, a *political* question. It belongs to the Legislative Department. We have it to settle, and let us settle it—settle it like men. Every consideration that addresses itself to our better nature *appeals* to us *most earnestly* to be reconciled to each other, to forget our animosities, and compromise our differences. Nothing good will result from the use of offensive epithets or a resort to menace. The non-slaveholding States will employ neither. We shall, most assuredly, give them no consideration when employed against us. We feel, that in some things, we have been uncandidly, if not unkindly dealt by—but that shall not remain with us a permanent "stone of stumbling and ground of offence." We shall forget it all when met in the proper spirit by our Southern brethren. And that we may begin to approach each other, let us go back soberly to some past events, and see where all these disturbing elements originated, how they have progressed, and what is their present position. While this is done in kindness, let it be with perfect freedom and candor.

Sir, the war into which we were so improvidently and unnecessarily involved with Mexico, is just closed, and peace finds us in a condition but little, if any, preferable to war itself. Those dark clouds that marshalled two nations to strife and hurried thousands to their graves, can hardly be said, so far as we are concerned, to have passed away. They have rather been shrouded in a yet deeper gloom of impending public danger. We have been passing through, and are yet in the midst of scenes, most trying to our institutions. When the causes which now overwhelm us with their consequences were first set on foot, they were promptly met and earnestly resisted by far seeing and patriotic statesmen of both political parties. But their wisdom was held as folly ; their warnings

were regarded as insults; their expostulations were met with mockery, by a class of new-fledged politicians, whose appeals to popular passions and prejudices knew no moderation, and who, to accomplish their ends, were prepared to hurry all that is valuable in the past, and every hope of the future to the very verge of utter and irrevocable ruin. Nothing, to these men, was thought worthy of admiration but that false glory which has so often led mankind to misery, and nations to despair. Nothing was deserving the public pursuit but the acquisitions of an insane and maddened avarice. But it is no part of my present purpose to review, minutely, the general circumstances which induced the war, or the mismanagement, on the part of the Executive, in its prosecution. They will be noticed so far only as they are connected with, and are evidences of a purpose, now fully developed in the alarming domestic issue which peace has brought. The war, so far as mere military operations are concerned, has ended as it commenced, and as it progressed at every step, "in a blaze of glory," undimmed by a single reverse. Nothing can surpass the admirable conduct of our armies. Whether as soldiers, moving with the steadiness of an iron wall in the face of danger, or in the yet higher character of men, performing the tenderest offices of humanity and (even) mercy to a prostrate foe, they have reflected the highest credit upon the country. But when the whole reckoning shall be made, it is not certain that there will be found, beyond this, any great cause of rejoicing. Even this peace, earnestly as peace was desired, looking at its conditions, does not, to my mind, present an advantageous adjustment of differences between us and Mexico, to say nothing of the domestic trouble it brings. Mexico, who was crushed by our arms, has triumphed over our diplomacy. Overwhelmed on the battlefield, she is victor in the cabinet. She has secured to herself terms in the treaty of the highest value for a most paltry consideration on her part. We have submitted to terms most humiliating and onerous, and what is our return? A vast increase of exposed frontier, most expensive and difficult to defend; but which must, nevertheless, be defended, at whatever cost or inconvenience.

Those who are so eager to precipitate the country into war for every vague claim which is set up to territory inviting cupidity, would scarcely hesitate to defend what is confessedly ours. That wild Quixotism which would involve us in the domestic difficulties of Yucatan, and of every other country under the sun, for the "sake of humanity," or "to extend the area of freedom," could not consent to the murdering of our own citizens upon our own soil. This new territory must be defended then. This vast country, with small exception, of waste deserts and burning sands, of bleak mountains and arid plains, almost without wood or water, stretching away from the Gulf to the Pacific, must be defended. We get that right by the treaty. But we get something more. We stipulate for the *privilege* of suppressing all Indian aggressions upon our Mexican neighbors along that frontier—of avenging all Indian outrages upon them, and of compelling the Indians to make restitution. This we stipulated for, it is presumed, not only from "high national considerations" (which is now the pretence for every international absurdity and insolent assumption of right to interfere in the affairs of others, on our part) but also from a yet higher, purer, holier motive, that of humanity. For it is not to be denied, that our Government does make *professions*, very many *professions* of humanity. We are resolved that henceforth there shall be no but-hers upon this continent but ourselves. In that branch we intend to monopolize and bar the doctrines of "free trade." The work is to be done in a scientific, a civilized, a christian way. *This is excellent.* It is a point in history. A point from which future events may be dated. Our "*manifest destiny*" makes this point—and hence we shall *progress*; for we are a *progressive people*! But whether this progress shall be retrograde or forward, from bad to worse, or from good to better "remains to be seen." So we were told that the permission by our Government, of Santa Anna's return to take the command of the Mexican armies, to rouse their drooping energies, inspire them with a determined courage, and to infuse into them his own savage and cruel passions and purposes, might not be promotive of our interests, "remained to be seen." And we have now seen the wisdom of the order to let Santa Anna pass. The gorges of Angostura, the heights of Cerro Gordo, and the valley of Mexico, soaked with the gore of our slaughtered countrymen, bear ample testimony of what remained to be seen. These events show, too, the wisdom and duty of every good citizen, however unpromising things may appear, whatever evil they may bring, to hold his peace, until he sees what remains to be seen. In England they say "the King can do no wrong." Here, we say the same thing of the President, and whoever questions either statement is proclaimed a traitor. Let him be hanged, then, if he is so; for a free-thinking, brave-tongued man, is dangerous to despotism. And have we not made our Presidents despots; set them above the Constitution, above all law, and above the will of the people, above every thing except the little restraints which they graciously condescend to take upon themselves in responding to the nomination of one of those conventions of self-sacrificing and disinterested patriots, which is held every four years at some of our large cities, to select a candidate, and fix upon the forms of speech to be observed during the canvass? This is one of the invaluable contrivances of our age of progress. It provides for contingencies not foreseen by the framers of the Constitution. But then they were only men; short-sighted men. They could not discern what wonders "*manifest destiny*" was to accomplish. They could not foresee this great height of progress to which we were to attain. A real, full robed monarchy *underneath*, with a plain republican oversuit to flout ostentatiously in the faces of a cheated people. Talk of the wonders of steam power, and the lightning line. These are common place, not at all to compare with this new patent for royalizing a Republican President, and then concealing the coronet with an old fashioned democratic beaver. Our conventions say who is to be President, take his pledge—not to support the Constitution, not to execute, faithfully, the office of President, and to preserve, protect, and defend the Constitution of the United States." Nothing of that sort—but to adhere to the prescribed forms of speech before the election, and the members of the convention afterwards. All else is mere form—an empty, sounding, senseless pageant. Party ratifies the choice of the Con-

vention, and that seals up all individual independence and individual responsibility. All considerations of the public good are tried by the resolves of the Convention and the pledge of the candidate to abide, observe, and keep them. If the forfeit in the party bond be a pound of human flesh, the pound of human flesh must be paid, though it be to be cut nearest the heart; or it may be the head of some one in a charger—if so, and the damsel claim the forfeit, it must be brought, for the King has pledged it. But if the people ask for some measure of public benefit to themselves, as the improvement of a harbor, where their ships with merchandise may find safety from the storms of the ocean, or the removal of obstructions from a river which they navigate in humbler vessels, worked with their own hard hands and strong arms, though their lives and fortunes depend upon the assistance, and at once, the bond must be consulted. They ask for bread, and you give them a stone from the bond. They ask for a fish, and you hand them a serpent, saying, this is the pledge; it “is so nominated in the” resolutions of the Convention. These prescribed forms of speech are most cunningly drawn, too—the same words meaning different things at different places or different periods, *promising* all things to the *people* before, and giving every thing to the *nominating Convention* after the election. If you complain of this, you find that these cabalistic words have a double reading. Like the Sybilline oracles, they answer every contingency. “Cæsar the Roman people shall conquer,” satisfies both Cæsar and the Roman people, for it promises victory to each over the other. Emphasis and punctuation settle the meaning. If you want that meaning changed, alter your pauses and modify or transfer your emphasis. After the election they can be set right again, and you can then be true to Cæsar, and he to the Convention that made him great. And he will be so. If you happen to be, like Cassius, of a lean and hungry look, Cæsar will improve your condition, though it take the substance of the whole land to give you flesh; for he wants to have about him “men that are fat; sleek headed men, and such as sleep well o’ nights.” Not such as think “too much,” or are ambitious *after* the election. “Such men are dangerous.” A recent Convention at Baltimore, like a former one at the same place, aptly illustrates some of these things. It was most prolific in resolves. Not content with re-affirming those fatal resolutions of 1841, “Polk, Dallas, the annexation of Texas, and the whole of Oregon up to 54° 40’,” which cost this nation, as will be found when all the bills are settled, little, if any short of one hundred and fifty millions of dollars and the lives of from twenty-five to thirty thousand of our brave countrymen; not content with re-affirming these, the late Convention actually reproduces the creation of the world, recapitulates all past history, proclaims anew the Declaration of Independence, sketches the present condition of the human race, and winds up with a most rapturous prophecy. This is called a declaration of political principles, *a platform of political faith*. And yet there is not one tangible or practical thing in it, pertaining to our present embarrassed condition, about which there is any difference of opinion in this country, that is not in itself untrue with its present punctuation. What changes will be made in the import by an alteration in the pauses of this “declaration of political principles,” “remains to be seen.” “Progress” will doubtless modify it; and its lights will be greatly heightened and its shadows much deepened by peculiar *sectional* readings. The light of liberty will blaze up from it at the North, and the darkness of slavery will rest upon it at the South. We have had a war from the resolutions of 1844. They are re-affirmed by the Convention of 1848. We were to have Oregon up to 54° 40’ or a fight, in virtue of the first proclamation of those resolutions; we have had the fight but not all of Oregon. Are we to understand that the issue is again tendered, all of Oregon or war? It is said that these platforms are to enable the people to understand the position of parties. What now is the position of these platform builders on that one point? The war we have had was not for Oregon. It was for Texas, to obtain which we were told four years ago, was of the highest importance to ensure permanent peace, “its western frontier being a natural, an impassable barrier—the desert between the Nueces river and the Rio Grande, the great American Sahara, over which an army could not possibly pass. This boundary, traced by the hand of God as a division between two great nations, a strong wall of defence and sure protection to each against all aggression from the other.” This was to render useless at least one-half the force, then not exceeding eight thousand men, kept on the peace establishment of the army. That was what we then heard, so constantly, so earnestly, so vehemently said that our people came to believe it. Now we are told by a most respectable and intelligent gentleman from the Committee on Military Affairs, (Mr. Berr, of South Carolina,) that, looking at the actually existing state of things on account of our new acquisitions and their incidents, the peace establishment of the army will necessarily be increased, and that it will probably be unsafe to place it at less than twenty thousand men. That is an additional item gained then by our new acquisitions and treaty. For this have we spent so many millions of money and sacrificed so many valuable lives, and must yet pay to Mexico fifteen millions of dollars more, and an amount to our own citizens of her indebtedness to them of from three to six millions, according to the showing of the President. Such is our “indemnity for the past and security for the future.” Such our “*conquered peace*.”

Sir, when this proposal to annex Texas was presented to the people of the non-slaveholding States, notwithstanding the advantage of getting it as a kind of Gibraltar to our rich possessions already owned in the South, we objected to it, because we suspected, from some indications, that the design of the projectors of the movement was the extension of the institution of slavery. We were opposed to that. We are yet opposed to it. We did not then feel disposed, and are not so inclined now, to interfere with the institution where by existing laws and past compromises it had been sanctioned. We were disposed, in good faith, to abide by those compromises, though we felt that their operation was in some respects grievous to us. But they were compromises proposed by patriotic statesmen of the past, to harmonize discordant elements, and blend into one great growth of union and strength opposing interests and distracting conflict. The people of the States had accepted and ratified this compact. It had become a strong

bond of union around us. A fixed and determined feeling of brotherhood had grown up within it and riveted us together. We of the free States were content with this—more than content. We were resolved that this brotherhood should continue forever. We were not approvers of this institution of slavery. We thought it wrong, morally, socially, politically wrong—injustice to the man and an injury to the master. But then, we had territory where we could stay away from the evil, and we did. We would not live amongst slaves, nor permit slaves to live amongst us. We understood, too, something of the situation of our brethren in the slave States, and the influence that situation was beginning to exert upon their own minds on this subject. It was plain that in some places the slave population was becoming a burden; in many others, had ceased to be profitable, and that public attention in such places began to look about for some wise, efficient, and safe system of emancipation. We were not indifferent or unfeeling spectators of this scene. We could not be so. It was our brethren who were thus engaged in searching out a way of deliverance from an approaching danger. Our whole heart was with them. We but waited to know if they would accept our assistance, and how they would have us serve them. We sought to enforce nothing upon them. We did not suppose, of course, that the slaves, altogether, or even in large numbers, would be manumitted without some previous preparation for their change of condition. We never supposed, either, that they would be turned loose at the doors of their masters, unprovided for, to sink at once to a depravity far below what any state of bondage ever knew, to become mere animals of licentiousness and passion, to prey upon their former owners, and be resisted by them in turn until a war of extermination should close the horrid scene. We desired none of these things. We expected none of these things. We would consent to none of these things. We would oppose them; if need be, we should oppose them with determined force. For while we concede that we cannot rightfully interfere in the private or domestic concerns of our neighbors as long as they do not, in fact, molest us, or seriously threaten our safety, we do not admit that we may not, properly, interpose to suppress insurrection or violence in any part of our common country, or upon a reasonable prospect of such a disaster, adopt anticipative steps to prevent it.

It is safe to say, that upon this whole subject of slavery, where it exists, the doctrine of non-interference is the doctrine of the body of the people of the free States. A few, doubtless well meaning, but as unquestionably misguided persons, have gone further. Their strong love of human liberty and overwrought philanthropy have broken down their discretion. They have overlooked the fact, that by their sudden emancipation from the master, they have not freed the man. For to be free, there must be something more than breaking off the chains that bind the physical man. The mind must be released from its dark prison. And every one, at all conversant with the present condition of the slave population in this country, knows perfectly well, on this very account, if they were all manumitted to-day, they are still powerless except for evil. For that, they would have a fearful strength. The very object, therefore, of emancipation, would be blasted by the violence and intemperance of such means as these ultra-men propose. These ill-advised projects are not wholly confined to a location in the free States; they are found elsewhere in some instances. And yet the free States—the People of the free States—the Representatives of the free States in this and the other end of the Capitol, except so far as certain partizan organizations find it prudent to make exemptions, are denounced in unmeasured terms. The boldest figures of speech, and the coarsest epithets are used to characterise us as monsters, having no reason in our heads, and no humanity in our hearts. We are charged with being the disturbers of the Union—with meditating the murder of our brethren, and the destruction of their property—with applying a torch to their dwellings, and placing a knife in the hands of the assassin. And these strong accusations against us are scattered broadcast through the South, by gentlemen who seem anxious to be regarded as the peculiar friends of Southern interests, and the especial champions of Southern institutions. Sir, permit me to say, that the South has no worse enemies than these same self constituted and clamorous defenders of her rights. And there never has been such deep treason against this Union in any other thing, as in this constant and groundless defamation of those who have ever been, and ever will be ready to peril every thing for her safety, however it may be endangered. We never dreamed of such things as are imputed. No one citizen of any free State ever harbored such thoughts. Our friends at the South greatly misunderstand us, if they suspect this, (for they cannot believe it.) If they do not suspect it, they do themselves as well as us great injustice by such representations. We want no misunderstandings. We will be the cause of none. Our course is open, direct, candid. We are against the *extension* of this institution. Our purpose is, and ever has been, freely, openly, and often avowed, to prevent that extension by all the means which the relation we bear to each other will sanction. Hence, supposing that extension to be at the bottom of the project of annexing, or as it was deceitfully called, *re-annexing* Texas to the United States, we opposed it upon that ground. But a fair speech came to reconcile us on that point. We were assured, that Texas being large enough for five States, only two of which, from the character and climate of the country, would be planting States, as they are termed, where there would be an inducement for slave labor, would tolerate this institution, while the other three States, being better adapted to grain-growing and grazing, would be free States. We did not approve even of this. It was yielding a principle. And we feared that evil lay behind the concession. But still it looked like a reasonable compromise, if we were disposed to make further compromises; and we were appealed to by every high and cherished consideration of the past—every hope of the future, to make the concession against our settled convictions of right and duty. That appeal, with other appliances, of more reckless and desperate partizanship, had its effect. The concession was made—Texas was admitted—Texas this side the “great natural boundary, the stupendous desert.” No advocate of the measure then pretended that we were annexing the valley of the Rio Grande. That, by its friends, was expressly denied. Our people did not think of Santa Fe and the other Mexican set-

elements dotted down the skirts of the Great Desert and on the Rio Grande to Point Isabel, and their half civilized, half savage population, "with their flocks and herds," as fit for a citizenship in this great Union, as their debased, grovelling, piebald owners. Even Texas, with all her modest reluctance at yielding her virgin charms to our embrace, did not think worth while to suggest, that if we persisted in this act of rudeness, our hands would feel the thorns of the chapparral. No, sir. She, with a becoming coyness and bashfulness, with downcast eyes and crimsoned cheek, was barely able to whisper that *she was obliged to us for these kind attentions—this amorous advance; but that she was too much overcome with emot on for explanations just then. Besides, England had been paying some little attentions to her. She might have encouraged those attentions so far as to awaken expectations that her honor would require to be redeemed, though she confessed her affections did not incline her towards England.* All this was said with such an unaffected artlessness—such a witching simplicity, and with all, such a plain preference for us, that we were quite overwhelmed. So was she; and like a true and modest damsel, as she was, knowing no wiles, withdrew, covered with confusion, leaving jealousy towards our old rival, England, and our sympathy for her "lone condition," to work her wishes. The game was cunningly played. That settled the question. We resolved to have Texas. We flew in the face of England, forbid the banns, forbid all further intercourse. England denied any design beyond the mere courtesies of life. Said it was no more than a platonic flirtation. But we did not believe a word of that. A superseded rival always conceals mortification with falsehood. It was clear England did intend to take Texas. To prevent this, and seeing that she was a "lone star," we resolved to wed her, and at once. We did so. And now we are jeeringly told by one of her chief servants, a distinguished Senator from that State, (Gen. HUSTON,) who was an adviser in that whole affair, in full intimacy with every movement, knew every thought and all the purposes of Texas, that this whole story about England, which so fired our blood and made us "haste to the wedding," was a sheer fabrication, a piece of "harmless coquetry." Was ever artifice so consummate? In every respect, had intrigue ever so great a triumph, a more complete victory over an intelligent mind, unless there be a parallel in our late unfortunate treaty with Mexico? Brother Jonathan had better put an end to his gallantries with Southern belles, until his blood shall be tempered a little more with age. First, he is tricked with a flirt, and then bamboozled by her withered and time bleached mother.

We were apprehensive that this hasty Union might provoke a war with Mexico. But that suggestion was scouted—was held to be absurd. Mexico was too contemptible to think of a war with us. We could crush her in an hour. *In blood and in sorrow we have proved that error.* We have Texas. Where are the three free States! It is all slave Territory, every foot of it. By the resolutions of annexation, a shadowy restriction was imposed north of thirty-six degrees, thirty minutes; but she comes afterwards with a Constitution recognizing and establishing slavery in her entire territory, and forbidding any legislation which shall exclude the importation of slaves into any part of it.

We are not blind nor insensible. In private affairs this would be called a fraud. We see and feel that in this we have not been frankly treated. We were willing to let it pass, though it is plain that those two great influences, the one of population, the other that of things ceasing to be property when they cease to have value, which, in silent but increasing strength, have been laboring for the freedom of man, have had their consummation pressed still further into the future.

Mr. KAUFMAN.—Does the gentleman from Indiana mean to intimate that Texas has violated her faith in this particular?

Mr. DUNN.—"The gentleman from Indiana means to intimate" nothing; but to state a fact; a fact stamped upon the face of the Constitution of Texas.

Mr. KAUFMAN.—The gentleman does great injustice to Texas, if he means to charge that she has, in any way, violated the terms and conditions of the joint resolution of annexation. She has adhered to those terms in good faith, and intends to do so hereafter. The joint resolution of annexation is a part of her Constitution.

Mr. DUNN.—And yet her Constitution recognizes slavery as existing in every part of her territory, establishes it there, both above and below the line of 36° 30', and contains an express prohibition against her legislature ever, in any way, interfering with it. Which shall prevail in Texas, the joint resolution, or the Constitution of the State? Will the gentleman from Texas, who belongs to the State rights school, tell us?

Mr. KAUFMAN.—Texas is a sovereign State, and her Constitution is her supreme law. Yet she never intended to extend slavery beyond the line of 36° 30'. She was compelled to make her Constitution general, and therefore the provision referred to.

Mr. DUNN.—And because she made the provision general, the result is, of necessity, general. It is her general law. It prevails all over Texas, and slavery with it, equally above and below 36° 30'; and whenever a controversy shall arise, does any body suppose that Texas will yield any part of her Constitution to this joint resolution of Congress, or that any court would hold her bound to do so? The proposition is too clear for controversy. The gentleman will not change the issue. The question now is, not what Texas intended, but what has she done?

But to proceed: By annexation, in the very teeth of the declaration made all over this country in 1844, war did come. Ten millions of dollars, or less, and a little prudent diplomacy would have procured us Texas without war, without the squandering of a hundred and fifty millions of dollars, and the cruel and wanton sacrifice of so many brave men. This alarming sectional question, which has been well compared to the "sound of a fire bell at night," would then have been settled in advance of, or with the acquisition. But a Convention had resolved upon other means than diplomacy or money. We were to have Texas at once—to day—immediately—now. Mexico was not to be consulted. Every

suggestion of the prudent—every expostulation of the temperate—every appeal of the wise, peace-loving, patriotic statesmen of both the great parties of the country were denounced as sheer factiousness. The honor and plighted faith of the country went for nothing. Whoever made opposition to the resolutions of that Convention were held as at enmity with the great cause of human liberty—"the extension of the area of freedom"—the sublime doctrines of progress. The behests of the Convention triumphed. Still it was hoped that a portion of the anticipated evils of this rash measure might be avoided. It was hoped that this violent aggression upon the *feelings* of Mexico, (conceding that in strictness her *rights* were not invaded,) this rank insult to national pride might be smoothed over. That a conciliatory spirit on our part might heal the violent breach. The joint resolution of annexation contained a provision, brought forward by a distinguished member of the Democratic party, (Mr. Benton,) and sustained earnestly by the wisest and truest statesmen and patriots of all parties in the country, by which the way of reconciliation was opened. The alternative of propositions was left with the President. Of course, we supposed the pacific measure would be chosen. It was not so, however. A warlike attitude was assumed towards Mexico. Our fleet was sent to hover around her coasts. Our armies to hang upon and threaten her frontier. We *despised* her mortification. The expiring administration of Mr. Tyler had elected, in its last hour, and under the special importunities of the incoming President, the dangerous alternative, and hurried off a messenger, at midnight, to Texas, to carry it into effect. Next day the present administration came into power and could have checked the threatened evil. It was not done. The Mexican minister withdrew from this theatre, and hisses followed his retiring footsteps. At the next session of Congress the annual message of the new President endorsed this act of his predecessor, in electing the dangerous alternative on the subject of annexation. It was avowed as meeting the cordial approbation of the new administration, and the country was congratulated upon the fact that annexation had been "a bloodless achievement," and that all apprehensions to the contrary had proven mere shadows. Great credit was claimed for the wisdom and firmness of our Government on this subject. It had taken high ground, such as became our dignity. When Mexico expressed a willingness to receive a *Commissioner* to settle the Texan controversy, as was contemplated by Congress should be the case, when the conciliatory clause was inserted in the resolutions of annexation, our Government, true to its high sense of dignity, sent a *Minister*, *with full powers, to reside near the Government of Mexico, and insisted that he should be accredited as if the friendly relations between the two countries had not been suspended.* Mexico objected to this as in violation of the etiquette of nations—insisting that the mission should be special, to adjust a defined controversy, to determine whether amicable relations between the two countries should be resumed. That this was necessarily antecedent to the *recognition* of a *Minister*, whose very character admitted the existence of friendly relations. Such, it is believed, is the conceded etiquette. Why did we stand upon such a point, when raised, knowing it to be against us? (A fact that will hereafter be noticed explains the motive.) But we reply to her "that we do not stand upon ceremonies and conventional forms," (although, in fact, then insisting upon them,) that we were a law unto ourselves, and had strength enough to prescribe our own system of international intercourse; and that we would do so. There is our navy riding in your waters; there are our armies ready to fall upon your exposed frontier. Will you receive our *plenipotentiary*?—answer the question. Mexico responds, "my dignity forbids a consideration of this question under your menace; withdraw your fleets and armies and I will hear your proposition." This we but partially do, and soon again display our force threateningly in her presence, make a nearer and more significant advance; we blockade her navigable waters, through which her merchant vessels pass, and cut off the trade of her citizens. Our armies are ordered to move upon her towns and posts, causing her citizens, her revenue and other civil officers, to fly from their homes and posts of duty before our menacing advance, leaving their dwellings and public buildings in flames, kindled by their own hands to deprive us of all convenience from them. We entered upon territory where she not only had towns and cultivated fields, owned and occupied by the Mexican race, speaking the Mexican language, acknowledging their allegiance to the Mexican Government, submitting to Mexican authority, governed by Mexican laws, administered by Mexican officers whose commissions were from the Mexican Government, but where there were also military posts occupied by Mexican troops, commanded by Mexican Generals. Upon territory where Texas never had a possession—never exercised authority for one hour—never had a civil officer, and where no citizen of Texas ever set his foot but in peril of his life. Where Mexico from her independence of Spain had ever been, and still was to that moment, the sole and undisturbed *occupant and sole eigen*. We did this; and, as every sane mind observing the facts must have foreseen, a collision was the consequence. Congress was then in session and wholly unadvised of these extraordinary movements; the same Congress which, only a few months before, on opening its session, had been assured by the annual message that although Mexico had "*until recently*" occupied a hostile attitude towards the United States, yet she had "*made no aggressive movement*;" and other encouraging assurances had at the same time been given in this annual message, that amicable relations would speedily be restored between the two nations. Not a word was uttered to disturb the public repose and confidence in continued peace until the peal of cannon roused us to arms. All had been quiet. No note of alarm or anxiety from the department in charge of our diplomatic relations. The Secretary of the Navy was, so far as could be seen or heard by the public, as listless and as "idle as a painted ship upon a painted ocean." No orders were observed to be issuing from the Department of War. So things *appeared*, when, in truth, a wave of power, of *Executive* power, as stealthily and as terrible as death, was lifting this great nation upon its strong bosom, and bearing it onward to a sea of blood. All these military and naval operations had been regularly and steadily advancing to inevitable war, under the eye and guidance of the President; with the consequences as certain and as palpa-

ble, to his view, as that the coming of the morning sun should bring light to the living. And yet the Congress of the United States, the department clothed by the Constitution of the country, with the war making power, is kept in profound ignorance of the approaching danger, and of the means in progress to hasten it. Ordinary vigilance is quieted by assurances that "all is well." And then, when the war, thus brought on, thus commenced, is actually in progress, Congress is advised that Mexico had assailed us and commenced hostilities—had begun the war; and means were asked to defend our soil, rescue our army, vindicate our national honor, and "conquer a peace." As if to forestall public investigation into this most extraordinary affair by procuring a legislative endorsement in blank, in the dark—wholly in the dark, (for no time for investigation was given, on the contrary, actually refused,) the declaration that Mexico had commenced the war, was deemed indispensable to the granting of relief to our perilled army. A fact must be *made* by law, as it had not occurred in the course of events, to shield delinquency. Well, sir, prompt and ample means were furnished to the executive. All that was asked, and beyond what was used, until more than one entire year had passed, although the force in the field, during all that time, was too weak for efficient or extensive operations, and from its very weakness, insufficient supplies and imperfect appointment, constantly exposed to imminent hazard, and subjected to sufferings and privations which disgrace our Government. From that time, until recently, this war has raged. Our armies, small and ill provided as they were, have achieved a succession of surpassing and most brilliant victories, overthrown and put to flight all opposition, spread over and occupied a vast region of country, and utterly crushed the power of Mexico. This has brought us peace, such peace as it is. These events have been referred to in no spirit of fault-finding—certainly from no desire to point out improper conduct on the part of any public functionary. They are historical incidents that ought to mortify and grieve every man who loves his country, her true honor and prosperity. But, mortifying as these things are, they are now fixed, immovable facts. *They are truths graven by the iron pen of history*, not to be blotted out or obscured. They belong to the past, and cannot be recalled. Neither the preambles to laws, nor legislative resolves can, in the slightest degree, affect them. God does not permit truth to be changed or modified. It may be misunderstood, misrepresented, but it must, and *will*, still stand the same unaltered, unalterable, inflexible, and faithful memorial of the past. It is a part of its great author's throne, and must endure.

This deep betrayal of a public trust, by high-handed usurpations and abuses of power, wisely withheld by our fathers from the Executive, the better to secure popular liberty and personal rights from invasion and to give permanence to our institutions in form and spirit, as originally organized, is referred to because it is a connecting link of purposes, in regard to the institution of slavery, now apparent, if we follow up the chain. The extension of that institution, first by the annexation of Texas, and that done, to give it a yet wider theatre upon territory acquired by conquest—the conquest being designed for that and no other purpose. A few more well established facts will make this clear. And here comes the fact showing why we insisted upon Mexico receiving a minister with full powers, instead of a commissioner, as she proposed. It is now conceded, that when Mr. Slidell was first sent to Mexico under a pretence of negotiating a reconciliation, he was authorized to offer a large sum of money for the cession of further territory to us by Mexico. He was required to listen to no terms of settlement that did not adjust finally the claims of our citizens upon the Mexican Government—then estimated and represented by the Executive of this Government to exceed five millions of dollars. That or war was the secret alternative of the President. Mr. Slidell was expressly told that Mexico could not pay this in money, and that "fortunately the joint resolutions of Congress for the annexation of Texas to the United States presented the means of satisfying these claims, in perfect consistency with the interest, as well as the honor of both Republics." How was this? Why in "giving to us the settlement of all questions of boundary with other governments, and that if Mexico would yield to us a desired boundary," (that is, *sell* us more territory,) *we* would assume this debt to our citizens. What was this boundary? The whole course of the Rio Grande, from its mouth to the source, thence due north to the forty second degree of north latitude. If Mexico would let the boundary embrace that portion of New Mexico on the other side of the Rio Grande, we were to pay five millions more to her; and if the boundary should be fixed so as to run west to the Pacific, embracing Upper California, as high as twenty-five millions were authorized to be given in addition to the assumption of the debt to our citizens. These were the instructions. A digression may be pardoned here, to remark, that these instructions to Mr. Slidell present a strange inconsistency with the assertions of the President, and the gentleman from Texas, and their friends on this floor now made, that all the territory acquired by the blood and treasure of the country in this war, on this side of the Rio Grande, belongs to Texas; for, in these instructions, it is expressly declared that the claim of the Rio Grande as the boundary of Texas does not apply to New Mexico. That no portion of it was embraced within the limits of ancient Louisiana. That Santa Fe, the capital of New Mexico, was settled by the Spaniards more than two centuries ago, and the province had, ever since, been in their possession and that of Mexico. That the Texans never had conquered it, or taken possession of it, nor had its people ever been represented in any legislative or other assembly of Texas.

Mr. KAUFMAN.—It is true Texas had never had *possession* of any part of the valley of the Rio Grande in New Mexico, or of New Mexico, but all on this side the Rio Grande was hers by the treaty with Santa Anna, made after his capture at San Jacinto.

Mr. DUNN.—A "treaty with Santa Anna!" Texas never made a treaty with Santa Anna. The gentleman is surely too good a lawyer to call an agreement wrung from the lips of a bound and trembling prisoner, with a swordpoint at his heart, a treaty. An agreement, on its face contradicting, in terms, the idea of its being a treaty, but simply promising the *personal influence* of Santa Anna to induce the Mexican Government to confirm by a treaty afterwards to be negotiated at the city of Mexico

by Ministers Plenipotentiary to be deputed by the Government of Texas for this high purpose." These are some of the high-sounding words of that remarkable paper, most remarkably obtained, and since put to most remarkable uses. A treaty *concludes* all matters upon which it operates. It must be made by the treaty making power, and in pursuance of the forms of law, by *free* agents. Not one of these elements belongs to this paper. Santa Anna had no power to treat. The Mexican Government had *expressly* vested that power elsewhere. He was a prisoner, in fear of death, bargaining for life and liberty. He did not profess to *make a treaty*, but promised to *try* and have Mexico to do so. Texas did not understand it as a treaty. She would not so have received it. Just the reverse. For she stipulated, so soon as that paper should be signed by certain other military associates of Santa Anna, to release him immediately, and send him forthwith on one of her Government vessels to Vera Cruz, "*in order that he might more promptly and effectually obtain the ratification of that compact, and the negotiation of the definitive treaty therein contemplated, by the Government of Mexico with the Government of Texas.*" She required of Santa Anna, in that paper, and his associates, to pledge themselves, should "the Mexican Government refuse or omit to execute, ratify, confirm, and perfect" the stipulations contained in that paper, "*by treaty*," that they (Santa Anna and these associates) would "not, on any occasion whatever, take up arms against the people of Texas, or any portion of them, but should consider themselves bound, by every sacred obligation, to abstain from all hostility towards Texas or its citizens." This is the language of that agreement—*void* agreement, even as to Santa Anna and his associates, for it was *forced* from them when imprisoned, by threats of death. The Mexican Government *refused* to sanction any part of it. And yet the gentleman says it binds Mexico; that Texas obtained the whole valley of the Rio Grande, and that river as her boundary by it.

Mr. KAUFMAN.—Gen. Filisola and three other Mexican Generals who never were prisoners recognized this treaty as binding, and signed it, after it had been made by Santa Anna. Mexico *received* the advantage of the treaty.

Mr. DUNN.—The gentleman still calls that "a treaty," which has no single element of one, and expressly purports *not* to be a treaty. Admit that it was approved and signed by Filisola and three other Mexican Generals who were not prisoners, that imposed no greater obligation upon the Mexican Government. They had no more authority on that subject than Santa Anna. They signed it, at his instance, to procure his release. The act might bind them not again to appear in arms against Texas; but their Government was not implicated in their promise. They were the mere instruments, tools of war, in the hands of that Government; no more. It is an abuse of speech to say that Mexico derived advantage from that agreement, and a worse abuse, both of speech and of common sense, to call it a treaty.

Mr. KAUFMAN.—The Constitution of Mexico of 1824 had been overthrown by Santa Anna, and was no longer in existence. He was a military usurper—the Government *de facto* of Mexico—and she was bound by his acts.

Mr. DUNN.—Why then did not Texas *make a treaty* with Santa Anna—this Government *de facto*—instead of taking, *exacting under penalty of death*, his promise to "use his personal influence" to induce Mexico (which this very agreement shows Texas then knew and conceded had a Government *de facto* *et de jure*, independent of Santa Anna,) to ratify and confirm his stipulations, given to save his life and obtain his liberty, "*by treaty*?" Why did Texas insist that this "treaty," as the gentleman calls it, which he says was made with Santa Anna, "the Government *de facto*, should be "*signed*," and as he says, "ratified," by Filisola and three other Mexican Generals? Were they Governments *de facto* also, or were they only a part of this military usurper, of Santa Anna? If Santa Anna was the Government, where was the use of all this circumlocution? Sir, in all candor, the gentleman ought to admit that his history and his logic are both wrong. There is nothing, absolutely nothing, even plausible in either. Gen. Jackson once had occasion to refer to this matter. His opinions are, doubtless, held in respect by the gentleman. He thought it was absurd to regard this as a treaty; even as an agreement by Santa Anna, he declared that it was void as to him also. But while the gentleman insists that this is "a treaty" and binds Mexico, and takes us to task as he did yesterday in his very excellent speech, because we are unwilling to surrender to Texas nearly one half of the territory acquired by our arms in this unfortunate war, and calls this opposition "Punic faith," will he inform us how Texas kept her part of this *solemn treaty* with Santa Anna? Did she "immediately release" him, and forthwith cause him to be conveyed to Vera Cruz in one of her national vessels? She "*solemnly engaged*" to refrain from taking his life," in tender consideration of his liberal promises. In this she complied. But in what else? Sir, she broke her faith: to her bondsman; she mocked the *prisoned* eagle. Was that worthy of Texan chivalry?

Mr. KAUFMAN.—The Government of Texas immediately proceeded to comply with its promise to release Santa Anna. The excitement of the army and the people of Texas (many of whom had sons and brothers murdered by Santa Anna) was so great as to prevent the design of the Texan Government from being immediately carried into effect. When the excitement subsided, he was promptly released and safely conveyed out of Texas to this city.

Mr. DUNN.—Santa Anna deserved to die, for his many and horrible cold-blooded and cowardly massacres. Had he received what he so richly deserved then, many an aged parent could still lean for support upon a noble son, who has been made childless by an official communication laid before this House at the present session, in these brief and remarkable lines:

"(Private and confidential.)

U. S. NAVY DEPARTMENT, May 13th, 1846.

COMMODORE: If Santa Anna endeavors to enter the Mexican ports, you will allow him to pass freely.

Respectfully, yours,

GEO. BANCROFT."

Com. CONNOR, Commanding Home Squadron.

It is not strange that there should have been a deep feeling of resentment towards such a monster, amongst a people whose brave and constant hearts he had so often torn with a fierce and cruel hand. But it is a matter of surprise that the Government of that people should make "a treaty," as the gentleman styles it, with this arch-felon of the age. The brave and true-hearted Lamar was right. He protested against the whole proceeding—"Let him die," said he, his "pledges are lighter than the 'moon-shine's' watery beam.' I would trust them as I would 'a dicer's oath.'" But if Texas made "a treaty," she should not have been the first to break it, and then insist upon its observance in her favor. It is no excuse to say the people were excited. The promise of the Government should have been fulfilled, and it could have been done, for Santa Anna was beyond the reach of violence. He had been sent aboard a vessel. He was brought back and thrown into prison, and there kept for several months; and he was not *released*, as the gentleman says, when the excitement subsided, and sent to the United States. He remained there until, on the application of General Jackson, then President, he was "despatched to Washington city," says the historian. He was still a prisoner of war. He was finally sent to Mexico in one of our national vessels. But let that all pass. Texas was then a "lone star." She is now one of thirty. May she, with them, in all coming time, shine on in harmony, and grow brighter and brighter forever.

Will the gentleman allow me to call his attention to some other facts which will prove how much justice there is in the demand made for his State of the whole valley of the Rio Grande? On the 3d of June, 1846, after the declaration of war against Mexico, the President, through his Secretary of War, in a communication marked "confidential," instructed Col. Kearney to "*conquer*" Santa Fe, take possession of, garrison it, and establish temporary civil government therein. The order was also to extend to the whole department of New Mexico, and likewise California; and this order was obeyed to the letter by that officer. On the sixteenth of the same month, the President, through his Secretary of the Treasury, instructed the Collector of Customs at New York, to pay drawbacks to certain persons on goods imported into the United States, *and then taken to Santa Fe*. Had it been a part of Texas, could either of these things have been done? No one will pretend so. But the President again, in his annual message, in December, 1846, says—"By rapid movements the province of New Mexico, with Santa Fe its capital, has been captured without bloodshed." Further still, he says—"in less than seven months after Mexico commenced hostilities, at a time selected by herself, we have taken possession of many of her principal ports, driven back and pursued her invading army, and acquired military possession of the Mexican provinces of New Mexico, New Leon, Coahuila, Tamaulipas, and the Californias, a territory larger in extent than that embraced in the original States of the Union, inhabited by a considerable population," &c. So, too, was every foot of earth in the valley of the Rio Grande, from its mouth to the source, down to the commencement of hostilities, to the time when Gen. Taylor moved to the east bank of that river, opposite Matamoras, (as the President in his message of December 8, 1846, says, *under orders issued to him from the War Department*,) as fully under Mexican dominion, and as free from the control of Texas, and had ever been so, as Santa Fe or any other part of New Mexico. Texas never ventured to that valley or to any part of it, until she was able to do so under the shadow of the conquering arms of this Union. Will the gentleman from Texas attempt to controvert that?

(A voice.—Texas had possession beyond the Nueces.)

Mr. DUNN.—Suppose she had, it does not follow that such possession extended to the Rio Grande, or near it. That her possession extended *beyond* one point, does not prove it reached another. She never had any possession beyond the desert between the two rivers. Her possessions beyond the Nueces were very limited. They were confined to the valley of that river. Her title being of the sword, her territory stopped at the point up to which that sword had taken and *held* possession. And now it is declared that the whole valley this side of the river, including "Santa Fe, the capital of New Mexico," with one half nearly of that province—this whole valley, eighteen hundred miles in length, abounding, as the President represents, in all the elements of agricultural and mineral wealth, acquired by the common resources of this Union, belongs to Texas, and not to this Government; belongs to those whose quarrel has brought desolation to a thousand happy homes, and filled this broad land with grieved hearts, with widowhood, with orphanage, and with childless parentage. This vast valley, so anxiously sought by our Government, and obtained at such great cost, is to be surrendered to Texas to aid her in the payment of her debts, and to swell her coffers, and spread out, in spite of the public sentiment of the country, the area, not of freedom, but of slavery; for so far as Texas is concerned, let her limits be what they may, large or small, that question is now settled. There can be no compromises on the subject of slavery which will affect the Texan territory, and the more the friends of the extension of this institution can plunder from the national domain at the South, and throw into the limits of Texas, the further they extend their wishes and their institutions, in spite of all opposition. But let it not be disguised that in this very act of bad faith, if persisted in, not only to the non-slaveholding States, but to the people of the whole Union, the prospect of a friendly compromise of this alarming subject is greatly diminished.

A further fact in support of the position that this whole movement has now, as from the first, in view the extension of slavery is, that Mr. Sidel was urged to procure as much territory "south" of certain points as possible. "The more the better," says the President through his Secretary of State. All this, without the knowledge or consent of the nation at large, or either branch of Congress; kept in rigid secrecy under the guidance and control of, as it was originated by men avowedly resolved on the perpetuation of this institution, and now sustained by the entire Southern friends of the Administration on this floor and elsewhere. It is due to the Whigs of the South to say, that they have not been aiders in bringing about

these difficulties. They, with the Whigs of the North and West, earnestly protested against the whole movement as one fraught with imminent hazard to the Union. Nor will they now, it is believed, sanction this palpable fraud upon the rights of the free States, and of the whole people. In the spirit that animated their fathers, they say, let justice be done to all, and in mutual concession and compromise let us reason together. We are brethren: why should there be strife between us. In the feeling of a true brotherhood, let us be reconciled. The Whigs of the free States understand this appeal—they appreciate its spirit. It is the language of their own hearts. Their response is, let justice be done to all and the Union is safe. Justice must be done to all, and the Union must be preserved. We desire no sectional parties, and will make none. If they come, they will be made to our hands by those who not only keep chains upon the human body, but would also put bonds upon the free spirit of man. When the war broke out, there was, as might have been expected, a deep displeasure in this country at the improvidence that brought it on, and strong murmurs were heard. The Executive denounced this as giving aid and comfort to our enemies. The cry was caught up, and for party purposes rang throughout the land. Every true and proud-hearted freeman despised the slander, and pitied its authors; and continued to think on, and speak on, and act on, as became a freeman, in accordance with what he believed the public good required. Some may have greatly *erred* in their views and expressions—in my humble judgment, did; for when the war was recognized by Congress, it was then the lawful war of the country, whatever improprieties and irregularities may have previously existed, and as such demanded the united purposes and efforts of that country to ensure a speedy and honorable peace. But to err, sir, is not a crime. To yield the right of freely thinking, and speaking boldly an honest thought, or of acting upon an honest conviction, is to become a slave. To become that *willingly*, is a crime. It is a *degree of treason to our institutions; for a republic can only be maintained by freemen. Slaves support despotisms.* This assault upon the natural and guaranteed rights of the citizen was designed to madden the public mind with party animosity, and blind it to the actual movements and purposes of the Administration, so that nothing should be seen until all was accomplished. But an event soon happened which betrayed this purpose, in spite of efforts to conceal it. As soon as it was manifest we were to acquire territory by conquest, this question of slavery arose. Men who had gone freely and fully into the support of the war from the first—promptly voting, and without question, supplies of men and money upon every requisition. of both political parties, insisted that slavery should be excluded from all territory to be acquired. How was this received by the political champions of the war, who had been so deeply identified with the annexation project, and all the subsequent steps involving us in hostilities? The very men who had been foremost and loudest in branding with treason those who had expressed displeasure that such a calamity as war had fallen upon us, or dared to question the wisdom of any of the war measures, or even ventured to denounce as infamous the proposition to convert our gallant armies into church-robbers and pillagers of private property, these men now turned round and threatened to withhold supplies—to abandon those brave armies of their own countrymen to certain destruction, to perish by famine for want of provisions, or by the sword for want of increased numbers to fill up and support their wasting ranks, if this prohibition was insisted upon in regard to our conquests. In this very hall such sentiments, not in terms, of course, but in substance, have found utterance—most intemperate and vehement utterance. Was this bravely, was it patriotically done by such men as denounce all who do not “make haste to the shedding of blood? Was it noble, or even generous? Was it *just* in those who charge with hostility to their country and its honor, that class of our citizens, the very salt of any land where they are numerous, the Friends, whose religious faith constrains them to oppose all violence, because they, in the true spirit of that faith which they so strictly practice and beautifully exemplify, send their respectful petitions here, earnestly praying that the sword may be sheathed and peace come in its stead?

From the moment the Wilmot Proviso, as it is termed, made its appearance, we have had constant denunciations of the non-slaveholding States, and their quiet citizens, and threats of a dissolution of the Union, if we persist in what we solemnly believe is our duty to the country and to man. Sir, we have no threats to return—no intemperate and fiery declarations to make in reply. We do not understand the force of threats aimed at us, and we do not mean to understand them. We shall never ask their import. We suppose that those who use them, being unable to maintain the argument, have lost their temper, and that they will be more reasonable when that is restored. It is gratifying to know that this exciting bearing is confined to those who were the originators of the annexation movement, and had the address to bring the power of a party organization to the accomplishment of a great public mischief, and such as, with a like purpose in view, have since been most active in all these schemes of conquest, until this slave question arose. Since then, if a bold figure is allowable, they resemble a volcano, formerly with but one crater, but now having two, sometimes discharging the fiery contents of their frenzied booms through one outlet, sometimes through the other, and sometimes through both; but still, as formerly, always spouting flame and smoke. It is hoped that their paroxysms may not affect others; but that we may find enough who temper their feelings with reason sufficiently to settle our differences fairly and satisfactorily.

When we are told that this prohibition excludes the slaveholder from the possessions acquired by the common contributions, sufferings, and chivalry of the slave and non-slaveholding States, we will concede all you claim on the score of patriotism or heroism. We will question neither; but simply reply, we are of the common family, with equal rights in all acquisitions, and if slavery is admitted into those new possessions, that excludes us from their enjoyment. If you cannot live in a free State, we cannot live in a slave State. If you will not go where you may not take and hold bondsmen, we will not go where you may do so. This devotion to free institutions in the free States, is just as fixed as the reverse can be in the slave States. Thus, then, we stand. Our population is, to say the least, equal to

yours. We pay as much into the national Treasury. Shall neither yield? Or, if either, which? We have been roundly and repeatedly told here and elsewhere, in resolves of State Legislatures and otherwise, that the free States must and shall yield everything. That is the effect of the proclamation made over and over again by these same annexation and conquest advocates. That we have heard. But when we do so, it will be known. We will *try*, in good faith, as brethren of one great family, anxious for the advancement, the prosperity, and happiness of each and every member, to settle, to accommodate, to compromise our differences and divisions, giving and receiving with the same spirit of kindness and justice, aiming to equalize the good and the evil of our condition, of our fortunes and disasters, amongst all. But we shall be very hard to persuade that we can only do this by a complete surrender. Before doing so, we shall take time to consider.

We are told that the Constitution enjoins this. That, under the Constitution, no such restrictions can be imposed upon acquired territory. That all the power which the General Government has over the Territories of the United States is to dispose of the lands within them. These propositions are confidently asserted, and attempted to be supported by grave sophisms called constitutional arguments.

Sir, some things ought to be regarded as settled by repeated decisions, and the universal acquiescence in them of the most profound lawyers, judges, and statesmen, as well as the whole people of this country, for a long period of years. The gentleman from Mississippi, (Mr. JACOB THOMSON,) tells us that the doctrine of adhering to precedent is the doctrine of tyrants. Is it not quite as true that a total disregard of precedent is not only the doctrine, but the *practice* of revolution and anarchy? What worse form of tyranny is there than anarchy? What despot ever so rioted in the miseries of man as did the Parisian mob a few days ago? What monarch ever, from mere wantonness, butchered ten thousand of his subjects in four days, and then painted his palaces with their blood? Is the gentleman prepared for scenes like that, rather than acquiesce in the mutual concessions, and sometimes inconveniences of the model Government of the world—the continued union of these States—with these free republican institutions, and the untold blessings they secure? Is he prepared for such an exchange? He speaks of Mississippi bidding us adieu, with as much indifference as he would say “good morning” to a friend that he would meet again in an hour. The gentleman may find the farewell to us by Mississippi, should it ever come, (which God forbid,) a very serious affair. It will be a most solemn, a most impressive, a most fearful leave-taking. Where will she go? Let each of the sister States ask themselves the question, “where shall we go?” when in a moment of vexation, they talk of bidding adieu. No, sir, no, she will not bid us adieu—she has too large a share in our common heritage. The chivalry of her own gallant sons has recently added too much to the common glory of the country, already so great, for her now, in mere passion, to break off and abandon all. She loves this Union, and will not forsake it. The gentleman deceives himself. These States must and will dwell together if we permit them. Then let them dwell together, and let it be in harmony. Where difficulties arise, and differences of opinion prevail as to what is right, let us refer the question to precedent to settle—especially should we do so where the precedent is supported by principle. Are not the precedents thus supported here? Where do we get the power to acquire territory at all? If we can acquire it, the power must be in the Constitution of the United States. It is not expressly given. Then it arises by implication. It must be an incident to some express power. Concede, for the argument, as is alleged, that it is incident to the war-making power. Then who, by the Constitution, can declare war. No State can. That is expressly inhibited. No ten or more States can, for the same reason. All the States cannot, neither could any part of, or all the people of all the States combined do so, except in the manner prescribed by the Constitution. Congress—the Federal legislature of all the States and of all the people of the several States—Congress shall have power to declare war. Nothing pertaining to warlike preparations or movements belongs to the States, except to officer the militia, train it, and upon a case of sudden and imminent peril, to use it to repel invasion or repress internal violence. The militia, when called into the service of the United States, is not the army of the State whence called—its members are, while so in service, subject to no law of that State operating upon the person, but a part of the army of the *United States*—wholly controlled by the laws of Congress, applicable to their condition and service. Sectional allegiance is at once merged in a higher sovereignty. If that army conquer territory, to whom will that territory belong? It is but the sword in the hand of an acknowledged and clearly designated sovereign. Is not, then, that sovereign the conqueror, and the conquest his conquest? Does not a statement of the case settle the right? Thus, then, the United States in their Federal capacity, being the conqueror and the sovereign of the conquest, who else has the control and regulation of that conquest? The sovereign is the *ruling* power over all matters within the scope of its jurisdiction. That jurisdiction may be limited, and so it is with the authority of our General Government; but the limitation upon the jurisdiction is not a restriction upon the *power* within the prescribed limits. We have in this country, to an extent, three recognized and active sovereignties. That of the people, in their primary capacity—of the States in their separate organizations, and of the United States in their confederate union. Neither acting legitimately in conflict with the others, but all in harmony. The sphere of each, their respective jurisdictions defined, and in some instances, the *mode* of exercising the power of each also designated. Within these defined boundaries, and in accordance with the prescribed modes of acting, and over all subjects within their appropriate jurisdictions, these sovereignties must be absolute for all purposes, so far as the mere question of *power* is concerned. The *propriety* of the exercise of such power is one thing, and the *power itself* is another. A disregard of these limitations, or any interference by either of these sovereignties with the powers of another, is revolutionary—to the extent of such disregard or interference, a subversion of Government. Now, can the citizens of the States, or the residents upon any of our territories, as such, regulate, govern, or in any way control the territories of the United States? Such

regulation, government, or control is an act of legislation, and the people have expressly delegated the whole legislative power to representatives. To resume it would be revolution. Can the States, *as States*, do so? Can they acquire territory? Can they do any act by which territory may be acquired? Can they have an army or a navy, make a treaty, enter into any negotiation? All these things the States have expressly surrendered and in terms vested in the Federal Government.

Upon what earthly authority, then, is this high assumption made, that the General Government, that Congress cannot legislate for the territories—that Congress has no further power over them than that of a mere land merchant? The power exists somewhere. It does not with the people in their primary capacity, for they have delegated their legislative power to representatives. It does not with the States in their separate organization, for they have surrendered jurisdiction over the whole subject which could by any possibility lead to the acquisition of territory. And because, further, State legislation must be confined within its territorial limits—whilst that of the General Government, for many purposes, encompasses both sea and land; like the course of the sun it encircles the earth. The people, individually, and the States, separately, have done this—have made these surrenders to the National Legislature, and most wisely too; and yet it is insisted that this National Legislature of confessedly most extensive powers (and *implied* powers) on some subjects—among others, on this very subject of acquiring territory, according to those whose cry is still for conquest—cannot control without limit or check, from State or individual interference, that acquisition which is obtained, and obtained alone through its agency and in its name—by its authority, means and conceded power. When the inhabitants of a Territory of the United States, *of the requisite number*, shall present a Constitution securing a republican form of Government, you say we are bound to admit such Territory as a State into this Union, with equal privileges and on equal terms with the other States. Suppose the application was made before there were the required number of inhabitants, would we be bound to admit it? Suppose such inhabitants, sufficient in number, should present a Constitution establishing privileged orders, titles of nobility, or a State religion, would we be bound to receive them into the Union as a sister State! Surely no one will affirm this. We have the power then of preventing the Territories from becoming States until contingencies happen, and certain conditions are complied with. While they remain Territories may they have a navy or an army—custom-houses or customs? Can they enter into alliances with one another, or with foreign countries—make treaties with the Indian tribes, or, in conformity with the Constitution of the United States, perform a single act of sovereignty, except so far as Congress shall enable them to do, by what may be aptly called a charter? If they can do any of these things they may also have a monarch for a ruler. That would be an act of revolution. It would be an usurped independence of all responsibility to this Government, and at once deprive us of our Territory, for our doctrine is that sovereignty carries the soil, and not soil the sovereignty. It is not pretended that Congress has a despotic power any where. Its powers, as well as jurisdiction, are limited, but the limitation is by the Constitution itself. Further, all legislation over the Territories must emanate in some way from Congress—Congress may delegate that power to a Council or inferior Legislature, for the sake of convenience or other cause, but it is not bound to do so by any constitutional provision or limitation. Not being so bound, Congress may legislate for the Territories. Legislation is the highest act of sovereignty—it is the greatest act of superiority that can be exercised by one being or power over another—it implies supreme authority. But if the subject matter of legislation is defined—if its limits are prescribed—if the mode or object is fixed—then that power is only supreme within those limitations. But still, within them, it is a supreme power. Such is exactly the nature of the power of our Federal Government. A clause in the Constitution itself fully asserts this principle: “This Constitution and the laws of the United States made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States shall be the supreme law of the land.” And all the legislative power or authority, which the Constitution assumes to grant or confer, is expressly vested in the Congress of the United States. Legislative, being a power, in its nature supreme, can be restricted and limited only by express provisions. It is not to be crippled or embarrassed by implication. This seems to have been well understood by the framers of the Constitution and our early statesmen. For they define the sphere of the National Government, impose many restrictions and limitations in express terms; and then afterwards in an amendment to that instrument, as out of abundant caution, a general restriction is inserted, that “the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.” The whole power that exists any where in the Constitution over the Territories, however, for any purpose, so far as it is expressly given, or so far as it can be implied, is to the General Government—and is distinctly withdrawn from the citizen and from the States. Now what restriction is imposed on this vested power? It is insisted that the General Government cannot cede or surrender, by treaty or otherwise, the sovereignty of any territory which has been or may be acquired. Is this so? This is taking a strong case. You say that the power to *acquire* territory arises from, is incident to, the war-making power, because conquest may necessarily result from war. Concede that. Is it not also true that the *liability to lose* territory is an incident to the fact of war? May not that conquest be *against* us as well as *for* us? And have we only power to avail ourselves of an advantage, but none to yield to the imperious necessity of an overwhelming calamity—to surrender a part to save the residue? Is it true that all our powers only look to a growing, an advancing prosperity, and in the most terrible extremity we are bondsmen? If our *right hand*, dear as it is, offend us, can we not cut it off rather than that the whole body should perish? Such a doctrine is utterly untenable. We have never practised upon it, and never will; on the contrary, by treaty, from considerations of mere advantage, we ceded Texas to Spain. By treaty, from like considerations and those of justice, we have recently surrendered a por-

tion of our conquests in Mexico. Our conquests by the fact of arms, and by the laws and usages of nations; not technically, perhaps, but substantially so, for we had overwhelmed all power in Mexico, civil and military—shivered the spear and broken the arm of resistance—scattered her armies—crushed her government, and held her unresisting and fainting form in our strong grasp. Ours by the Constitution of the United States, if the war-making power confers the right or the ability to acquire territory.

Is there any one so hardy as to insist, that such a surrender of a portion of this Mexican conquest was an infraction of the Constitution—was an usurpation of power? If there be such, his next absurdity will be, that if we have an adder upon our bosom we want the power to remove it though by neglecting to do so, its sting is certain, and that certainty death. We may not have the power to transfer the allegiance of citizens residing upon such ceded or surrendered territory, against their will. They may insist upon their allegiance, and its appropriate return from Government, so far as we can extend it under the new condition of things. But, then, they must conform to this new condition. They must come within our diminished limits. They must follow their receding Government; for it can no longer foster them in their old position. They are left free to choose between a Government *necessarily* withdrawn, and a spot of earth on which they reside. If the allegiance is changed, and its rights withdrawn, it becomes the consequence of their election of a soil over a Government. The act is theirs. Besides, the Constitution, in terms, gives to the General Government the power “to dispose of the Territory of the United States.” If it may dispose of the Territory, there being no designation as to the terms on which or the persons to whom such disposal shall be made, no limitation on the subject whatever, is there any power on earth paramount to that of the General Government over the whole matter? The power being plenary, is not the *will* of the General Government the sole guide? May it not dispose of the same in such quantities, to such persons, and on just such *conditions* as to that Government shall seem best? In ceding to a sovereign power by treaty, conditions might be imposed which would forever bind. We might make the penalty of violating these conditions the reversion of the territory to us. If we could impose any condition, might it not be one in favor of human liberty? Ought it not to be such? If we could do this in one entire cession to a sovereign power, what principle forbids us doing so, in similar cessions, to individuals—citizens of our own country, or foreigners who come to us for a home? The advocates of the extension of slavery, the annexation and conquest faction, say we cannot impose the restriction in this case. Why? Because, they say, by the Constitution, the citizens of each State shall be entitled to all privileges and immunities of the citizens in the several States.” To maintain their position under this clause, they insist that the meaning is, that whatever privileges and immunities a citizen of a State has, as such citizen, go and abide with him when he changes his place, and takes up his residence elsewhere; therefore, they say, it being his privilege to hold slaves in Virginia, South and North Carolina, Kentucky, and Mississippi, as a citizen of one of those States, when he chooses to remove thence to Oregon or California, he may take with him his slaves, and hold them there, in virtue of this clause, that the law of the State from which he removes goes with him—its allegiance binds—its authority protects him. This tissue of strange fallacies is mainly supported by three assertions and four nonsequiters, to wit: that the expression, “citizen of the United States, is not found in the Constitution, and therefore, no such citizen exists;” that “citizen of a Territory” does not occur in the Constitution; “therefore, there is no such citizen constitutionally existing;” but, that everywhere in that instrument, the designation is, “citizen of a State,” or citizen of the several States; therefore, the only citizenship known to the Constitution, is that of a State; “and, therefore, again, the authority of the State alone can control or regulate the rights of the citizen.” After the fearful passage of this *pons ussionum*, more formidable to any but *lap logicians* than that of Enclid, there should be added “*Quid erat demonstrare.*” This is respectfully suggested, as an amendment to the demonstration of this new and great State rights problem. Let us see, though, if this construction does not prove too much. By the laws of Massachusetts, a negro man may be a citizen of that State, and as such, is privileged to marry a white woman there. That is one of his privileges. He goes to Kentucky, either to reside, or but temporarily on business—will the law of Kentucky permit such a marriage by him there? Which will prevail, the law of Massachusetts, which you say goes with him, or the law of Kentucky, which he goes to? A negro man, being a citizen of Massachusetts, may vote and hold office there. These are privileges secured to him by the laws of that State. He removes to South Carolina or North Carolina, and resides. Will these privileges be secured to him there? In New York and other free States a negro is a competent witness in any case where a white person would be. He goes to Virginia. Is the privilege of testifying in a Court of justice extended and secured to him so far there? In all the free, and some of the slave States, a negro may acquire, hold, and transfer real estate. He goes to Mississippi. May he do so there? Your laws cut the negroes off from these privileges. He comes among you with the charter of citizenship of a State where they are secured to him, and urges your own construction of the Constitution. Is it a sufficient answer to say, “complexion alters the case?” He appeals to your courts, and repeats your own arguments. Do you fear that your Judges will hold your restrictive laws unconstitutional? He appeals to the Supreme Court of the United States, repeats again your arguments, reads your speeches, and adopts your own, vehement eloquence. Would you feel any alarm? The court might, by way of compliment, say these speeches are very ingenious and very eloquent, but not of such authority as to settle this constitutional construction. But to go a little further and make the test practical: are any of you gentlemen who urge this position upon us, prepared to support a provision in any bill organizing a Territorial Government, giving to the black man the right of voting for officers elective by the people of the Territory, or making them eligible to those offices? Will you make him a competent witness against a white man in the territorial courts? Not a word of it. And yet if your construction be correct, you are bound to do so.

Again: If you are correct, the Missouri compromise is void; and you may go as well into any State north of thirty six degrees thirty minutes with your slaves and hold them there in bondage, as into a State south of that parallel. You may go to Massachusetts and defy all laws which emancipate the physical and elevate the moral and intellectual man. Sir, if there are any who have faith in this new doctrine, (for it is new,) let them attempt to prove it by their works, and the scales will fall from their eyes. Indiana is a noble State. Her soil teems with abundance at the touch of industry. She invites the husbandman to fill his barns. Will the gentleman from Kentucky, (Mr. FRENCH,) who urges this position with so much confidence, come over with his slaves and gather the harvest? He will then see if the chains of his bondsmen and his construction of the Constitution do not melt away together in the radiance of free institutions like frostwork beneath a July sun.

This clause of the Constitution, so far from being a restriction upon the powers of the General Government, is rather in aid of its purposes, and is in fact a restriction upon the States. Its object was to secure a citizenship to a citizen of one State on his removal to another, in the State to which he so removed, and admit him to full and equal "privileges and immunities" enjoyed by all citizens, (in his condition,) of his adopted State. If a native born white man or naturalized foreigner, then the largest liberty of the State is his. If an unnaturalized foreigner, the rights and disabilities of that class are his. If a free black man, the rights and disabilities of that class are his. It was designed to prevent one State making any law by which the citizen of another State going there would be regarded in the light of an alien and required to submit to quarantine or pay entrance fees or the like, not exacted of residents of the State, and to undergo a sort of naturalization. It was further designed to preserve good neighborhood between the States and their respective citizens, by preventing invidious and offensive discriminations amongst the common citizens of a common country, from motives of aggrandizement or resentment; and to make us all *feel* that, although in the States, we might be, as the waves, separate; yet that in the great brotherhood of this Union, we are, as the ocean, one.

The State of New York authorizes to be collected from every person entering her great city from the water, a tax for hospital purposes. She does not exempt her own citizens from that tax. It is levied alike on all. Had she done otherwise, the law would have violated this clause of the Constitution. But in this, as in all other things, she extends to the citizens of each State all "privileges and immunities" of her own citizens. That she is bound to do.

When this question of power to acquire territory was first agitated, in reference to the Louisiana purchase, neither the war-making nor the treaty-making power was thought sufficient to settle the difficulty. It was only by aggregating all the express and implied powers of the Constitution and relying upon a then conceded national sovereignty that the friends of the measure could find authority to consummate their wishes. Mr. Jefferson, although anxious for the acquisition, still doubted the existence of the power even upon this liberal view of the case, and suggested an amendment of the Constitution to meet the exigency. We, however, did purchase Louisiana, notwithstanding these difficulties; and we did right as all now admit. These scruples were made to yield to an apparent controlling public good. But now, when we have acquired other territory by conquest, you wish to segregate the powers of the Constitution, and it is asserted that the war-making power alone gives authority for the acquisition; and that too by those of you who insist upon a most stringent construction of that power, as to the consequences of the acquisition. You tell us we may conquer, but cannot control—because the control of territory by legislation, is in no way necessary to effectuate the power which obtained it. If this were so, which is not, it does not follow that this implied power does not exist under some other express one. This objection is in character with the others, and with them, is thought to be sufficiently answered. In whatever light this subject is viewed, it is clear that the power to legislate for the territories belongs to Congress, that no other authority has or can have that power, independent of Congress; and the power so existing, may be exercised so as to exclude slavery from them. When the time comes for their admission, as States, into the Union, if they choose to do so, they can, doubtless, incorporate slavery into their new existence in spite of the General Government. The sovereignty over the subject is then with them. We believe, however, there is no danger of any such improvidence. We are willing to leave it to the new State to say what it will do as to adopting, or not, such an institution, as we are to those States where it already exists to say whether, and when, and how, if at all, they will abolish it. We propose no interference with existing rights of property or of persons, but to leave all just where the Constitution and past compromises have left them. The Constitution *takes* slavery no where. It found the institution existing and left it untouched. We wish to do the same—no more. Hence we resist its spread over territory now free.

Sir, a good deal has been said about precedent for the exercise of legislative powers by Congress over the Territories, and the extent of that legislation. After the adoption of the present Constitution and the organization of the Government under it, Congress passed an act which Washington, as President, approved; in effect assuming sovereign power over the Northwest Territory, and adapting the superintendence and control over it to the new order of things, but leaving untouched, and thereby recognizing and re-affirming the principles and conditions, one of which was a prohibition against slavery, upon which the cession of that territory was made—principles and conditions, as before stated, incorporated by Virginia statesmen, with Mr. Jefferson at their head. The preamble to the act recites that, "in order that the ordinance of the United States in Congress assembled for the government of the territory north west of the river Ohio may continue in full effect, it is requisite that certain provisions should be made, so as to adapt the same to the present condition of the United States." This was in 1787, two years after the date of the ordinance. Again: in 1792, Congress passed an act by which the sovereignty of the General Government over that territory is fully asserted and exercised. Washington, as President, approved that also.

In 1798, the elder Adams being President and approving it, Congress passed an act defining the limits and providing for the government of the Mississippi Territory. One of its provisions is worthy of especial attention. By the seventh section it was declared that "from and after the establishment of the said government, (of the Mississippi Territory,) it should not be lawful for any person to import or bring into the said Mississippi Territory, from any port or place without the limits of the United States, or to cause or procure to be so imported or brought, or knowingly to aid or assist in so importing or bringing any slave or slave." This provision was guarded by heavy penalties. It is a broad and strong restriction. It operated upon all persons, whether citizens of a State, of the Mississippi Territory, or of foreign countries. It prohibited the introduction of slaves into a Territory where the institution existed by legal sanction, where there were slaves owned and held by citizens of the Territory; and hence the restriction against the introduction of slaves from all places is not found in the act. They could still be introduced from places within the United States, thus securing to the citizens of each State the "privileges and immunities" of the citizens of that Territory. Now, although it is not conceded that Congress was bound to make even this exception, yet, in courtesy to the slaveholding States, it was eminently proper to do so. It will be observed, too, that this restriction upon importation from places without the United States, was at a time when Congress, by the Constitution, had no power to prevent the introduction of slaves from abroad into the States. The exercise of that power was expressly restrained until 1808. This restriction, however, was held not to apply to the Territories of the United States, but only to the States then existing. It is not necessary to show what were the opinions of eminent individuals connected with the passage of his act. It is sufficient to say that it was passed, and passed too by a Congress of men, a majority of whom were representing slave States and slaveholding constituent. A yet stronger case is furnished in the act passed by a Congress similarly constituted, in 1804, approved and enforced by Mr. Jefferson as President, "erecting Louisiana into two Territories, and providing a temporary government." The tenth section of that act not only contains the exact provisions of the one just referred to in regard to Mississippi, but it goes further, much further. It makes it unlawful for any slave to be taken into these Territories of Louisiana from places within the limits of the United States, which slave had been imported into the United States since the 1st of May, 1798, from places without the United States; and, further, that no slave should be introduced into those Territories except by a citizen of the United States, removing to the same for actual settlement, and being at the time of such removal the bona fide owner of such slave. The observance of this act is enforced by heavy penalties upon the offender, and the emancipation, by the fact of a disregard of it, of the slave himself. This act, also, passed as it was before Congress had power to inhibit the importation of slaves from abroad into the States, without their consent, is a decided and an ample exercise and vindication of the power of Congress over the Territories, not only in regard to the general subjects of legislation and government, but likewise in relation to this particular subject of slavery. Mr. Jefferson is claimed to have been a strict constructionist. He doubted whether, not under this or that particular delegated power, but in the aggregation of all the powers of the Constitution, we could acquire territory, could possess ourselves of Louisiana. But when, laying aside these scruples for a great public benefit, we did so, he had no difficulty as to the power and the duty of the General Government to control it by legislation, and in such way as most to enhance the value of that acquisition, give protection and prosperity to its inhabitants and promote the common welfare of the whole country.

Let those who profess to be the followers, and the exclusive followers of Mr. Jefferson, follow him truly, and these divisions, sectional and party, will mostly perish. Though peculiar in some of his views about the powers of this Government, he never taught or practiced the extreme doctrines imputed to him. With a personal ambition, not censurable, he cherished to his last day an ardent love for human liberty, and a deep devotion to our Union—the perpetuity of our model institutions, and the lasting happiness of our people. His life was given to the rearing of this proud column of blended sovereignties—deep and strong in its foundations—harmonious and beautiful in its proportions—perfect in its workmanship—lofty in its height—and yet his precepts and his example are appealed to in justification of the rude hand that would break in pieces and crumble it with the dust.

How strange it seems to hear gentlemen who insist upon this impracticable construction of the Constitution, urging us to advance our territorial limits. With what show of consistency do they ask us to take the national treasure, arms, and the lives of our countrymen to interfere in the civil war of Yucatan? The reason given for this is that humanity requires our interposition to check scenes of savage barbarity. Does not humanity then require prompt assistance to our citizens in Oregon, to save them from the scalping knife! The shrieks of murdered families that come to us from that quarter produce no sensation here, for Oregon is already ours—nothing can be gained by conquest there. But then you say that our interest demands the acquisition of Yucatan and of Cuba, with other points in that neighborhood, so as to secure to ourselves and those who shall come after us, "the freedom of the seas." *The freedom of the seas!* Sir, our navy will secure that. Its "march is o'er the mountain wave," its "home is on the deep." Cherish that navy, and it will make that march and that home as free as the wild winds that sweep its heaving bosom. Foster the enterprise and skill of our industrious countrymen—multiply and diversify their pursuits by wise legislation for their benefit and their protection, and leave the paupers of Europe to their own Governments—preserve friendly relations with all nations, but incur entangling alliances with none, and we shall be alike free, alike pre-eminent, on land and ocean, in all that is of true national greatness and glory. Humanity! shall we make merchandize of our feelings of humanity? Does not this Yucatan project look like such a design? Fifty thousand, who have tyrannized over and trampled under foot for ages five hundred thousand of their fellow beings, better in all the qualities of manhood than themselves, are at last resisted and likely to meet a dreadful,

but it may be not unjust retribution, and we are called on to accept the sovereignty of the country in exchange for shielding and maintaining a profligate and tyrannous minority against a long outraged and deeply wronged majority. This is termed humanity! And the same men who now urge this step, refused the appeal of perishing Ireland! When the lean hand of famine struck down her children by thousands—when the beautiful and the brave were starving together, the young and the old, the husband and the wife—when the infant died in the vain effort to draw milk from the dead mother's breast, and the pale nations could no longer find room in the grave, but laid down upon the surface of the earth—where was your humanity then, when you had seventy of a Democratic majority on this floor? The journals of the last Congress will answer.

Mr. KAUFMAN.--We permitted two national vessels to carry the voluntary contributions of the people. Mr. DUNN.--“You permitted two national vessels to carry the voluntary contributions of the people!” A perishing man cries to you for *nourishment*, and you hand him a gilded but *empty* vessel and say “take this and live.” Was not that voluntary contribution of the people—that pure and true offering of humanity from the great and generous heart of this nation—a most eloquent and powerful proclamation of its wishes? Did you in the least regard that?

The honorable gentleman from New York, (Mr. HUNT,) and the honorable gentleman from Massachusetts, now the Speaker of this House, strove in vain, day after day, to rouse your sympathies. But you were deaf to that heart rending, universal cry of a whole people for bread, because that people had no land to give, no territory to cede in exchange for your humanity. Now you can get dominion—“*extend the area of freedom*,” and obtain a wider theatre on which to plant the institution of slavery, and you are about to thrust the sword into the bosoms of men who strike oppressors in the name of God and liberty. And this you call humanity! which, at the last Congress, refused a crust of bread and a cup of water to save a perishing nation, and would now give the sword, the treasure, and the strength of the country to employ in human butchery! Sir, we have evil enough, and danger enough at home, without going abroad to engage in, at least, a doubtful quarrel. We shall be fortunate, indeed, should we escape all the disasters that threaten us. Nothing but the interposition of that good Providence who guided our fathers in the wilderness of our days can save us. If he has raised up for us now, as then, (as I firmly believe is the case,) from the midst of confusion, and darkness, and peril, a great leader, simple and direct in speech, great in *action*, wise and just, faithful and true, brave and temperate—one who sees his duty in the service of his country, and the reward of that service in its performance, we should hail it as a reassurance that the favor of heaven rests upon us. But if, in spite of reason, of the bitter experience of the past, and the earnest remonstrances of the present, of the plain warnings of the future, that same recklessness of the public welfare, and the private happiness and harmony of our people which involved us in a war, just closed, with all its disasters, to give strength and perpetuity to an institution which is to override and crush every other interest in its determined march; if this annexation and conquest faction shall again be able to triumph by party combinations, subtle intrigues, and new devices, and force the slave all over these new territories, now free, and still press this institution farther and farther on, it goes with our solemn protest against it, that shall stand as our vindication, if evil come. We shall leave the issue to God, always hoping for safety, but not without fear. To avert these impending dangers, let the appeal be every where made, not “the union of the Whigs or the Democrats, or the North or the South, but the union of all true lovers of our country, for the sake of that country and its republican institutions.”

Sir, these references to past events have been made in no spirit of resentment, or for purposes of irritation, but simply to show that there is no safety in following these extreme partizans and factionists, and to point out glaring inconsistency between the motive heretofore assigned, and the act done, that we may now receive with due caution any new project which shall originate in such quarters. We want no more extreme measures or extreme counsels from any quarter. Moderation, forbearance, conciliation, are what we need, and must have, if we mean to do anything satisfactory to the country, or consistent with duty. These new territories all demand of us to furnish them, and promptly, good and stable Governments. It seems impossible to do so, until this “apple of discord” is disposed of. How is this to be done? From the extremes of neither party is there much to hope; for, unfortunately, they are of that kind of extremes which, if they meet, meet but to oppose. At the risk of being deemed presumptuous, I will respectfully submit to the consideration of gentlemen on all sides, as a step towards something *practical*, something that *might* result in an *end*, if not satisfactory to all, would not be irreconcilably objectionable to any, the raising of a Committee of Thirteen to take this whole question in charge, and report to the House a basis of settlement. Thirteen States coming together in the spirit of mutual concession, under the pressure of a common danger, formed this great Union. Can we not now select from this House thirteen members, possessed of the same temperance that then guided all, who can originate and present to us a new security against danger—a danger greater than that which brought us together? Men who can reason together without passion, and act in such a crisis, without fear of political consequences to themselves personally, who prefer the hopes of their children to their own brief distinction, even if that be the forfeit, and the welfare of the country to any selfish ambition. To secure the choice of such a committee, let the Whigs and Democrats of the slaveholding States choose six gentlemen from the non-slaveholding States, three Whigs and three Democrats, of whom they would have least fear of injustice, and in whom they would most readily and fully confide. Let the non-slaveholding States make a like selection from the slave States. Give to these twelve, thus selected, the choice of the thirteenth gentleman from the members of the House. Let such be a select committee to submit a basis of compromise and settlement. In such an organization, we might hope to find the elements of peace and in their labors, a final and satisfactory reconciliation of all our differences.

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